

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|-------------------------------------|---|-------------------|
| ERNEST FRIMPONG, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 19 C 4666 |
| |) | |
| ANDREW SAUL, Commissioner of Social |) | Judge Leinenweber |
| Security, |) | |
| |) | |
| Defendant. |) | |

**DEFENDANT’S UNCONTESTED MOTION FOR ENTRY OF
JUDGMENT UNDER RULE 58 OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Defendant Andrew Saul, Commissioner of Social Security, by John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, requests that the court enter a separate judgment order under Fed. R. Civ. P. 58 following its October 26, 2020 order (Dkt. 41) denying Commissioner’s motion to reconsider, and in support states as follows:

1. The court denied the Commissioner’s motion to reconsider its order remanding the case to the Commissioner for an award of benefits, but did not enter a separate judgment order under Fed. R. Civ. P. 58.
2. Entry of a separate judgment order under Rule 58 is necessary for the matter to be remanded to the Commissioner for an award of benefits under Title 42 U.S.C. § 405(g) (a “sentence four remand”).
3. No prejudice will result should the court grant defendant’s motion because plaintiff’s counsel has represented that he has no objection thereto.

WHEREFORE, the defendant Commissioner requests that the court enter a separate Rule 58 judgment order remanding the matter to the Commissioner for an award of benefits.

Respectfully submitted,

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